

REMARKS

Claims 1-10 and 14-17 are pending in this application. The Office Action rejects claims 1-16 under 35 U.S.C. §112, second paragraph; rejects claims 11-13 under 35 U.S.C. §101; and rejects claims 1-16 under 35 U.S.C. §103(a). By this Amendment, claims 1-3, 8-9 and 14 are amended to specify their respective limitations, claims 11-13 are cancelled, and new claim 17 is added. Support for new claim 17 may be found in the present specification at page 15, line 11 (stearic acid). No new matter is added.

I. Rejection under 35 U.S.C. §112, second paragraph

Claims 1-16 are rejected under 35 U.S.C. §112, second paragraph, for allegedly being indefinite. Applicants respectfully traverse the rejection with respect to the amended claims.

By this Amendment, without admitting the propriety of the rejection, claims 1-3, 8-9 and 14 are amended to fully comply with 35 U.S.C. §112 by particularly pointing out and distinctly claiming their respective limitations. Applicants respectfully submit that the rejection under 35 U.S.C. §112 of all other claims was made as a result of those claims' dependency from claims 1-3, 8-9 and 14; and so such rejections are moot in light of the present amendments.

Reconsideration and withdrawal of the rejection are respectfully requested.

II. Rejection under 35 U.S.C. §101

Claims 11-13 are rejected under 35 U.S.C. §101 for allegedly improperly defining a process. By this Amendment, claims 11-13 are cancelled.

Reconsideration and withdrawal of the rejection are respectfully requested.

III. Rejection under 35 U.S.C. §103(a)

Claims 1-7, 11-14 and 16 are rejected under 35 U.S.C. §103(a) as having been obvious over Merger et al. (U.S. Patent No. 4,853,454) in view of Aoki et al. (U.S. Patent No. 5,010,161). Claims 8-9 are rejected under 35 U.S.C. §103(a) as having been obvious over

Merger et al. in view of Aoki et al. in further view of Jacobsen et al. (U.S. Patent No. 3,935,274). Claim 10 is rejected under 35 U.S.C. §103(a) as having been obvious over Merger et al. in view of Aoki et al. in further view of Wagner et al. (U.S. Patent 3,835,191). Claim 15 is rejected under 35 U.S.C. §103(a) as having been obvious over Merger et al. in view of Aoki et al. in further view of Aoki et al. (JP 07025976). Because the rejections are related, they are addressed together. Applicants respectfully traverse the rejections.

The first cited reference, Merger et al., teaches a polyaldimine (column 3, line 3) which is obtainable from at least one polyamine having aliphatic primary amino groups (column 7, lines 53-62). However, Merger et al. does not teach or suggest a polyaldimine which is obtainable from an aldehyde of the claimed formula.

The second cited reference, Aoki et al. (U.S. Patent No. 5,010,161), teaches forming a polyaldimine from an aldehyde of the formula $\text{O}=\text{CH}-\text{C}(\text{CH}_3)_2-\text{CH}_2-\text{O}-\text{CO}-\text{R}^6$.

However, the cited references do not teach or suggest the features of independent claim 1. The cited references at least fail to teach or suggest that the aldehyde is made from a long chain fatty acid. See, for example, page 8, line 8, and page 15, Example 2 of the present specification. Instead Aoki et al. (5,010,161) teaches an aldehyde having a long chain where R^6 is an alkyl group having 16 or less carbon atoms (column 3, lines 34-35). However, Aoki et al. specifically teaches away from longer chains when it states that in preferred embodiments R^6 is a methyl group, ethyl group, propyl group etc. which are all short chains (column 4, lines 57-58).

Furthermore, there is no motivation to combine the cited references and to modify the resultant combination to practice the claimed invention. The presently claimed polyaldimine compound is produced in order to reduce odor (specification page 4, lines 23-25), however Aoki et al. nowhere mentions this or any other motivation to combine its teachings with the teachings of Merger et al.

The remaining references are cited for limitations of dependant claims, and do not cure the deficiencies of Merger et al. and Aoki et al. The third cited reference, Jacobsen et al., is cited for its disclosure of a process of forming an aldehyde of claimed formula B from a carboxylic acid and a β -hydroxy aldehyde, where the β -hydroxy aldehyde is 3-hydroxypivalaldehyde (column 1, lines 7-10). The fourth cited reference, Wagner et al., is cited for its disclosure of a process of forming a polyaldimine without the use of solvents (column 10, lines 40-44). The fifth cited reference, Aoki et al. (JP 07025976) is cited for its disclosure of a process of hydrolysis of a polyaldimine wherein the polyaldimine is brought into contact with a water containing component (paragraphs 5 and 6). Thus, regardless of their disclosures, any combination of the references still fails to render obvious the subject matter of claim 1.

Applicants respectfully submit that none of the three above listed secondary references overcome the defects of the first two cited references, discussed above. Therefore, because independent claim 1 is patentable over the cited references, dependant claims 2-16 are also patentable over the cited references for at least the reason that claim 1 is patentable.

Reconsideration and withdrawal of the rejections are respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application is earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Petition for Extension of Time

Date: February 29, 2008

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